


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
NOV 16 2009

CLERK

JAMES E. BUCK, for himself
and as executor of the
Estate of Morgan Nevin Lewis,

Plaintiff,

vs.

NATIONAL EDUCATION
ASSOCIATION; THE PRUDENTIAL
INSURANCE COMPANY OF AMERICA;
NATIONAL EDUCATION
ASSOCIATION'S MEMBER
BENEFITS CORPORATION,

Defendants.

CIV 09-4091


ORDER OF DISMISSAL

The Court has been advised that the case has been settled. Accordingly,

IT IS ORDERED that this action is hereby dismissed without costs and with prejudice, each party to pay their own costs. Any party, on good cause shown on or before December 7, 2009, may move to vacate this Order of Dismissal and reopen this action if settlement is not consummated. The Court also retains ancillary jurisdiction to enforce all settlement agreements entered into by the parties and their representatives. *See Harris v. Arkansas State Highway and Transp. Dep't.*, 437 F.3d 749 (8th Cir. 2006).

Dated this 16th day of November, 2009.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
Deputy